

Return to:  
City of Durham  
City-County Planning Dept.  
101 City Hall Plaza  
Durham, NC 27701

ORDINANCE # \_\_\_\_\_

**AN ORDINANCE ANNEXING TO THE CITY OF DURHAM AN AREA HEREINAFTER DESCRIBED AND WHICH DOES NOT ABUT DIRECTLY ON THE PRESENT CORPORATE BOUNDARY OF THE CITY OF DURHAM, UNDER THE PROVISIONS OF NCGS 160A-58 ET.SEQ.  
(729 Clausun Drive)**

**WHEREAS**, a petition was filed by the owner for annexation of certain property described in Section 1 to the City of Durham; and

**WHEREAS**, said petition was referred to the City Clerk to investigate its sufficiency, and the City Clerk has certified that said petition is sufficient; and

**WHEREAS**, the City Manager fixed **7:00 p.m. on September 21, 2015**, at the City Council Chambers of City Hall as the time and place for a public hearing on the question of annexation of said property and ordered that notice of such public hearing be published as provided by NCGS 160A-58.2; and

**WHEREAS**, said notice of public hearing was duly published in the Durham Herald-Sun one time at least ten (10) days prior to the date of the public hearing; and

**WHEREAS**, at this public hearing, all residents of the City of Durham were given an opportunity to be heard on any questions concerning the desirability of the annexation.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DURHAM MAKES THE FOLLOWING FINDING AND DETERMINATIONS:**

1. The area proposed for annexation and the accompanying petition meet the requirements of NCGS 160A-58.1(b) in that;

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the primary corporate limits of the City of Durham; and
  - b. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another City than the primary corporate limits of the City of Durham; and
  - c. The area is so situated that the City of Durham will be able to provide the same services within the proposed satellite corporate limits that it provides within its corporate limits; and
  - d. If the area proposed for annexation, or any portion thereof, is a subdivision as defined in NCGS 160A-376, then all of the subdivision is included; and
  - e. The petition contains the names, addresses, and signatures of all owners within the area proposed for annexation; and
  - f. The petition describes the area for annexation by metes and bounds description and by the annexation plat; and
2. The petition is otherwise valid; and
  3. The public health, safety, and welfare of the inhabitants of the City and of the area proposed for annexation will best be served by annexation of the area proposed.

**IT IS THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM:**

Section 1. That certain area bounded and described below is hereby annexed to and made a part of the City of Durham and that minor technical changes to the metes and bounds description and/or to the annexation map may be made administratively to conform to the ownership of the property that has been submitted for annexation.

**729 CLAUSUN DRIVE  
CASE NUMBER BDG1500003**

COMMENCING AT A POINT ON THE NORTHEAST CORNER OF LOT 20 KINGSLEY ESTATES, ON THE DURHAM CITY LIMITS LINE AS SHOWN ON PLAT BOOK 191, PAGE 225, THENCE LEAVING CITY OF DURHAM CITY LIMITS N 58°03'35" W 442.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 31°51'13" WEST A DISTANCE OF 199.93 FEET TO A POINT ON THE EXISTING RIGHT OF WAY OF CLAUSUN DRIVE; THENCE WITH SAID RIGHT OF WAY NORTH 57°54'10" WEST A DISTANCE OF 99.87 FEET TO A POINT, THENCE LEAVING SAID RIGHT OF WAY NORTH 31°52'38" EAST A DISTANCE OF 199.69 FEET TO A POINT; THENCE SOUTH 58°02'26" EAST A DISTANCE OF 99.79 FEET TO A POINT, THE POINT OF BEGINNING, CONTAINING 19,947 SQUARE FEET OR 0.458 ACRES.

FOR FURTHER DESCRIPTION SEE MAP ENTITLED "729 CLAUSUN DRIVE" PREPARED BY THE JOHN R. MCADAMS COMPANY, RONALD T. FREDERICK, PLS L-4720, SAID MAP DATED 01/06/2015 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF DURHAM COUNTY IN PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_.

Section 2. From and after the effective date of this annexation ordinance the area so annexed shall be subject to all debts, laws, ordinances, and regulations of the City of Durham and shall be entitled to the same privileges and benefits as other parts of the City.

Section 3. This ordinance shall be in full force and effect from and after **September 30, 2015**.